

**THE MINUTES
FOR THE MAY 6, 2014
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:00 PM.**

Present: Mayor Doll, Trustees, McMullen, Milligan and Tobin, Village Clerk Donna Koch, Village Attorney, James Matthews, Police Chief Ric Bruckenthal.

Absent: Trustee Maline

PUBLIC HEARINGS:

Public Hearing #1

The Mayor asked the Clerk to read the notice of public hearing to wit:

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of May, 2014, to consider the following proposed local law:

**LOCAL LAW "A" OF 2014
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 106 (BUILDING CONSTRUCTION)**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF NORTHPORT AS FOLLOWS:

Section 1. Chapter 106 of the Code of the Village of Northport is hereby amended to add the following section:

§106-18A Carbon Monoxide Detectors in places of public assembly

No later than July 1, 2014, all places of public assembly shall have operating carbon monoxide detectors which meet or exceed all applicable industry and government standards. This requirement shall apply to all existing and newly created places of public assembly. The Fire Marshal shall determine the sufficiency of the detectors, including their location and the number of such detectors. For the purposes of this requirement, places of public assembly shall mean and include (1) all Assembly Group A places and (2) Business Group B places where food and drink are consumed, as those terms are

defined by the New York State Building Code,

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 3. Effective Date.

This Local law shall become effective immediately upon filing with the Secretary of State of the State of New York.

On the motion of Trustee Tobin and seconded by Trustee Milligan the public hearing was opened.

Mr. Matthews explained that this was suggested by our Fire Marshal and applies to places of public assembly.

On the motion of Trustee McMullen and seconded by Trustee Tobin the public hearing was closed.

PUBLIC HEARING # 2

The Mayor asked the Clerk to read the notice of public hearing to wit:

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of May, 2014, to consider the following proposed local law:

**LOCAL LAW "B" OF 2014
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 13 (ARCHITECTURAL AND HISTORIC
REVIEW, BOARD OF) ARTICLE II (BOARD, MEMBERSHIP AND
MEETINGS) §13-5 (MEMBERSHIP; TERMS; TRAINING)
OF THE CODE OF THE VILLAGE OF NORTHPORT**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that amending the Code of the Village to authorize the appointment of alternates to the Board of Architectural and Historic Review will benefit the

efficiency and operations of the Board.

Section 2. Statutory Authority and Supersession

This Local Law is adopted pursuant to New York State Village Law, Municipal Home Rule Law, General Municipal Law and the State Environmental Quality Review Act and its implementing regulations and expressly supersedes inconsistent provisions of the Village Code.

Section 3. Applicability

The provisions of this Local Law shall apply as set forth in the amendments.

Section 4. Amendments

Explanation of notations:

Existing text is reproduced in normal type.

Text to be added is indicated in *Italics*.

Text to be deleted is indicated by ~~strikethroughs~~.

* * * indicates existing text to remain unchanged.

The code of the Incorporated Village of Northport shall be amended as follows:

Explanation of notations:

Existing zoning text is reproduced in regular type

Text to be added is indicated in *italics*.

Text to be deleted is indicated in with a ~~Strikethrough~~.

* * * Existing text to remain—

CHAPTER 13: ARCHITECTURAL AND HISTORIC REVIEW, BOARD OF

ARICLE II BOARD, MEMBERSHIP AND MEETINGS

* * *

§13-5 Membership; terms; training.

* * *

J. There shall be two alternate members of the Board of Architectural and Historic Review appointed by the Mayor, subject to the approval of the Board of Trustees, for a

term of four years each. The Chairperson of the Board of Architectural and Historic Review may designate an alternate member to substitute for a member due to a conflict of interest or where a member cannot participate for other reasons. Alternates so selected shall be on a rotating basis and once designated shall possess all the powers and responsibilities of a member for the applications for which the designation has been made.

* * *

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

On the motion of Trustee Tobin and seconded by Trustee McMullen the public hearing was opened.

Mr. Matthews explained this proposed law is just to follow suit with how the Zoning and Planning Board have alternate members.

On the motion of Trustee McMullen and seconded by Trustee Tobin the public hearing was closed.

PUBLIC HEARING #3

The Mayor asked the Clerk to read the notice of public hearing to wit:

PLEASE TAKE NOTICE A PUBLIC HEARING WILL BE HELD May 6th, 2014 at 6:00 pm at village hall to consider executing an agreement with the town of Huntington to provide fire protection services for fire protection district no. 1 for a period of one year from January 1, 2014 through December 31, 2014 in the amount of one million four hundred fourteen thousand eight hundred and fifty nine 00/100 dollars (\$1,414,859.00) and on such other terms and conditions as may be acceptable to the village attorney

On the motion of Trustee Tobin and seconded by Trustee McMullen the public hearing was opened.

Mayor Doll explained that this is a one year contract and contains a 2% increase.

On the motion of Trustee McMullen and seconded by Trustee Milligan the public hearing was closed.

PUBLIC PARTICIPATION:

Cathy Mann of Beach Ave. questioned the Board on the procedure for renting/lease 20 Beach Ave. (Village owned property). She heard that the house has become available and has someone interested who might be interested in the property. She was told to call Village Hall May 1st which she did only to learn it had been leased to someone else. She was concerned that the Village did not look at several candidates. Trustee McMullen explained that the Village does not have to advertise and if we feel we have a qualified candidate, we can go with that person. The person leasing the property also has to take care of the park grounds and clean the bathrooms during the summer months. Trustee McMullen stated if Ms. Mann has someone who would like to see the property that, that person should get in touch with the clerk and arrangements will be made for him to see the house and if interested he can make a proposal.

Effie Huber question the budgeted figures for auditing services, the Village spent an average of roughly \$32,000 a year from 2006 to 2012 on auditing services, for 2012 the budget figures quadrupled the anticipated expenditure. In 2013 the Village spent \$132,924. on audit services. Why did the Village wait four years to go back and look at what was going on with the treasurer? Why would it cost an extra \$100, 000 to do so and what did we find out? Trustee Tobin explained the expenses were not solely to investigate the previous treasurer. A lot of the expense was to completely re vamp the way the treasurer department works, accounting practices and general accountability. Changing the way we do banking, and segregation of duties. Where one person does not handle all aspects of the finances. We had the introduction of the the "G" fund (Sewer). Everything changed as to how we do things. The Board now gets bi-monthly finance reports to look at, to see where the finances stand. It has been a radical change like going from paper to computers. It has been a very long process. The Village as hired a very strict accounting firm. At this time all our money is accounted for and no money has been miss-spent and expenditures have been made properly.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

Fiscal Year 2014/2015 General Fund bills in the amount of \$82,497.60

On the motion of Trustee McMullen and seconded by Trustee Milligan the following bills were approved for payment.

Fiscal Year 2014/2015 Sewer Fund bills in the amount of \$ 32,912.01

On the motion of Trustee McMullen and seconded by Trustee Milligan the following bills were approved for payment.

Fiscal Year 2014/2015 Capital Fund bills in the amount of \$ 74,258.22

COMMISSIONER REPORTS: Trustee McMullen reported for Trustee Maline stating the Village is looking into a handicapped accessibly swing. While the swing itself is not to expensive the Village has to comply with ADA requirements for access to the swing. Trustee Maline is looking into that.

Trustee McMullen reported the Waste Water Treatment Plant Project is moving along, next week they will begin to feed in the bacteria. We are on track to meet our August 1st deadline. National Watermain continues to do work throughout the Village re-lining the sewer lines. The Fifth Ave by-pass project is due to start May 7, 2014 and should only last two to three weeks. After the Fifth Ave by-pass is done they will move to redoing the Beach Ave pump station. Which is located at the end of Beach Ave.

Trustee Tobin gave an update of the Waste Water Treatment Plant grants/loans and explained the process for reimbursement.

Trustee Milligan reported all Village floats are in and he has met with Chief Bruckenthal to clarify wording on a couple of signs on the dock. He has also talked to several of the merchants and they have a plan in place to handle/oversee the dumpsters

Mayor Doll reported the highway department is busy with street sweeping, pothole repair, curbing and sidewalk repair. Also getting the Village ready for the summer months ahead with dock work and road paint.

CHIEF OF POLICE REPORT: nothing to report this week.

ADMINISTRATOR'S REPORT: no report.

NEW BUSINESS: no old business.

OLD BUSINESS: no new business.

CORRESPONDENCE: no correspondence.

REQUESTS: A request from the Northport Library to reserve the two parking spots in front of the Northport Historical Society for the loading and unloading of passengers from the trolley they will have running from the library to the Historical Society on June 21st, 2014 in honor of the libraries 100th anniversary. The Board approved this request.

RESOLUTIONS:

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2014 – 84~ APPROVAL OF THE APRIL 22, 2014 MINUTES

WHEREAS: Copies of the minutes of the April 22, 2014, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

On the motion of Trustee McMullen and seconded by Trustee Milligan the following resolution was unanimously approved.

RESOLUTION 2014 – 85 ~ LOCAL LAW # 1

WHEREAS: a Public Hearing of the Village Board of Trustees having has been held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of May, 2014, to consider the following proposed local law:

**LOCAL LAW No. 1 OF 2014
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 106 (BUILDING CONSTRUCTION)**

On the motion of Trustee McMullen and seconded by Trustee Milligan the following resolution was unanimously approved

RESOLUTION 2014 – 86 ~ LOCAL LAW # 2

WHEREAS: a Public Hearing of the Village Board of Trustees having has been held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of May, 2014, to consider the following proposed local law:

**LOCAL LAW No. 2 OF 2014
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 13 (ARCHITECTURAL AND HISTORIC
REVIEW, BOARD OF) ARTICLE II (BOARD, MEMBERSHIP AND
MEETINGS) §13-5 (MEMBERSHIP; TERMS; TRAINING)
OF THE CODE OF THE VILLAGE OF NORTHPORT**

On the motion of Trustee Tobin and seconded by Trustee Milligan the following resolution was unanimously approved

RESOLUTION 2014 – 87 DOCK FEES

BE IT RESOLVED: Chapter 147 "Fees" is hereby amended as follows: Chapter 123, Docks Piers and Floats

§123-2B(2)(a) for tying of a pleasure craft between 5:00 PM till 10:00 PM \$20.00 for any size vessel.

§123-2B(2)(a) for tying of a pleasure craft between 10:00 PM till 8:00 PM \$2.00 per foot.

On the motion of Trustee McMullen and seconded by Trustee Milligan the following resolution was unanimously approved.

RESOLUTION 2014-88 REIMBURSEMENT

Be it resolved: The Village Board hereby approved restoring the Veterans exemptions for property located at 72 Seaview Terrace, SCTM # 0404-13-2-99 and authorizing reimbursement of overpayment of taxes in the amount of \$2,245.51 to Gloria Sarica, the person entitled to receive same.

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved

RESOLUTION 2014- 89~ SEASONAL EMPLOYMENT

BE IT RESOLVED: that the seasonal applicants recommended by the Village Clerk and Department Commissioner is hereby approved.

Highway/Parks

Connor Tinker	\$11.00/hr.
Ryan Lauter	\$11.00/hr.

Lifeguard/BeachManger:

Julian Hayes	\$13.00/hr
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Lifeguards:

Danika Sess	\$11.00/hr
Julia Cocchi	\$11.00/hr
Olivia Smith	\$11.00/hr
Tim Wine	\$11.00/hr
Avery Ersboll	\$11.00/hr
Mary-Pat Theofield	\$11.00/hr

Gate Attendants:

Grant Borden	\$9.00/hr
Jillian Shotwell	\$9.00/hr
RoseMarie Hayes	\$9.00/hr

Dockmaster:

Danielle Krupka	\$11.00/hr
Dan Romanczyk	\$11.00/hr
Dana Romanczyk	\$11.00/hr
Courtney Meuser	\$11.00/hr

Pumpout Boat:

Ramonetti James	\$12.00/hr
Connor Walsh	\$12.00/hr

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved

RESOLUTION 2014- 90 PROJECT MANAGER

BE IT RESOLVED: Fred Mosher is hereby retained as Project Manager for the 5th Avenue Sewer and Shoreline Replacement Project for the Village of Northport at \$50.00/per hour.

On the motion of Trustee Tobin and seconded by Trustee McMillen the following resolution was unanimously approved

RESOLUTION 2014- 91 ALTERNATE MEMBER OF THE ZONING BOARD

BE IT RESOLVED Arlene Handel is hereby appointed to the position of Alternate Member of the Zoning Board.

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved

RESOLUTION 2014 – 92 ~ AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT FOR REPAIRS, MAINTENANCE AND USE OF 20 BEACH AVENUE

BE IT RESOLVED: That the Board of Trustees, having determined that it is in the best interest of the Village to enter into a License Agreement with Dylan Licopoli to provide for the repair and maintenance of 20 Beach Avenue and the surrounding grounds, beach and fencing, hereby authorizes the Mayor to enter into a revocable License Agreement, in a form approved by the Village Attorney.

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved

RESOLUTION 2014 –93 ~ FIRE CONTRACT WITH THE TOWN OF HUNTINGTON

BE IT RESOLVED: The Mayor is hereby authorized to execute an agreement with the town of Huntington to provide fire protection services for fire protection No. 1 for a period of one year from January 1, 2014 through December 31, 2014 in the amount of of one million four hundred fourteen thousand eight hundred and fifty nine and 00/100 dollars (\$1,414,859.00) and on such other terms and conditions as may be acceptable to the Village Attorney, subject to the approval of the volunteers of the Northport fire Department as provided by law.

On the motion of Trustee McMullen and seconded by Trustee Milligan the following resolution was unanimously approved.

RESOLUTION 2014 – 94 ~ ACKNOWLEDGMENT

Be it Resolved the Village Board of The Village of Northport hereby acknowledges that the audit of the Northport Village Justice Court as required by Section 2019-a of the Uniform Justice Court Act was conducted by the AVZ Certified Public

Accountants, the Village's designated auditing firm for year ending February 28, 2014.

On the motion of Trustee McMullen and seconded by Trustee Tobi the following resolution was unanimously approved.

RESOLUTION 2014-95 ~ AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO CONTRACT 2013-8: SEWER AND MANHOLE REHABILITATION AREAS 2 – 5 FOR LATERAL CONNECTION REPAIR KITS IN AN AMOUNT NOT TO EXCEED \$160,000, SUBJECT TO SAID ADDITIONAL AMOUNTS BEING ELIGIBLE FOR REIMBURSEMENT FROM THE NYSEFC REVOLVING FUND PROGRAM OR A GRANT

The next regular meeting of the Board of Trustees will be on May 20, 2014 at 6:00 P.M

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch
Village Clerk